THE

# MYSORE GAZETTE.

Published by Authority.

No. 6 of 1879.

BANGALORE, SATURDAY, FEBRUARY 8, 1879.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## CONTENTS.

PAGE.

PART I.—Notifications by the Chief Commissioner of Mysore and Coorg.—...ions by the Government of India...45—56

PART II.—Notifications by the Judicial Commissioner, Survey and ...t Commissioner, Superintendent of Inam Settlen...uty Accountant General, Controller, Money Order ...Works Officers, Military Assistant, Inspector Gen...egistration, Director of Public Instruction, Cons...Forests, Deputy Surgeon General of Hospitals, P... of the Municipal Board, Commissioners of Divisions, Deputy Commissioners of Districts, and Superintendent of Police.—Season Reports, Meteorological Registers, Postal Notices, &c. ..... 99—112

PART III.—Acts of the Governor General of India in Council, &c. Nil.

PART IV.—Miscellaneous Papers. ..... Nil.

SUPPLEMENT.—Abstract of Season or Intermediate Reports.—Price List of Food Grains ..... 1—2

# PART I.

## Notifications by the Chief Commissioner of Mysore.

### GENERAL.

NOTIFICATIONS.

*The 29th January* 1879.

**No. 242.**

Notice is hereby given that under the authority conveyed in Government of India, Foreign Department letter No. 2479, dated 21st November 1876, the Chief Commissioner is pleased to sanction the levy of tolls on the marginally noted ghats in the Shimoga District, Nagar Division, being instituted with effect from 1st March 1879 in accordance with the rates specified in the schedule annexed.

1. Hyderghar Ghat near Hulikal in the Nagar Taluk, Shimoga District.
2. Kollur Ghat near the old Sayar Katte on land belonging to the Ikkibilal Village in the Savalnad Magani of the Sagar Taluk, Shimoga District.

2. No toll will be levied from foot passengers.

*Schedule of Rates.*

| | | | Rs. | As. | P. |
|---|---|---|---|---|---|
| 1. | On every | four-wheeled carriage.. | 2 | 0 | 0 |
| 2. | Do | two-wheeled do .. | 1 | 0 | 0 |
| 3. | Do | ekka .. | 0 | 4 | 0 |
| 4. | Do | hackney on springs .. | 0 | 2 | 0 |
| 5. | Do | cart and hackney, not on springs, drawn by 8 bullocks, buffaloes, horses, ponies, asses or mules, if laden .. | 1 | 8 | 0 |
| 6. | Do | do if not laden.. | 0 | 8 | 0 |
| 7. | On every | cart and hackney drawn by 6 bullocks, buffaloes, horses, ponies, asses or mules, if laden | 0 | 12 | 0 |
| 8. | Do | do if not laden.. | 0 | 6 | 0 |
| 9. | Do | cart and hackney drawn by 4 bullocks, buffaloes, horses, ponies, asses or mules, if laden | 0 | 8 | 0 |
| 10. | Do | do if not laden.. | 0 | 4 | 0 |

| | | | Rs. | As. | P. |
|---|---|---|---|---|---|
| 11. | On every | cart and hackney drawn by 2 bullocks, buffaloes, horses, ponies, asses or mules, if laden | 0 | 4 | 0 |
| 12. | Do | do if not laden .. | 0 | 2 | 0 |
| 13. | Do | buffaloes or bullocks per head, if laden.. | 0 | 1 | 0 |
| 14. | Do | do do if not laden. | 0 | 0 | 6 |
| 15. | Do | elephant .. | 1 | 8 | 0 |
| 16. | Do | camel, if laden .. | 0 | 8 | 0 |
| 17. | Do | do if not laden .. | 0 | 4 | 0 |
| 18. | Do | horse, if laden or ridden. | 0 | 1 | 6 |
| 19. | Do | do unladen or led .. | 0 | 0 | 9 |
| 20. | On every | tattu or mule, if laden or ridden.. | 0 | 0 | 9 |
| 21. | Do | do unladen or led .. | 0 | 0 | 6 |
| 22. | Do | ass, if laden or ridden.. | 0 | 0 | 6 |
| 23. | Do | do unladen or led .. | 0 | 0 | 3 |
| 24. | Do | sheep, goat or pig .. | 0 | 0 | 1 |
| 25. | Do | palanquin, doolie, palna or tomjon with eight bearers .. | 1 | 0 | 0 |
| 26. | Do | do with 6 bearers .. | 0 | 12 | 0 |
| 27. | Do | do with 4 bearers .. | 0 | 8 | 0 |
| 28. | Do | do with 2 bearers .. | 0 | 4 | 0 |

*N. B.*—Animals drawing any vehicle for which toll can be demanded are not to be also charged with tolls.

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No. 250.

*The 5th February* 1879.

It is hereby notified for general information that the Chief Commissioner has sanctioned the transfer of the undermentioned villages in the Davangere Taluk, from one Sammat to another, with effect from the 1st April 1879 :—

1. Allur, from Davangere to Annaji Sammat.
2. Kadaji, from Annaji to Davangere Sammat.

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No. 251.

*The 6th February* 1879.

Notice is hereby given that tenders for the exclusive privilege of manufacturing arrack and of wholesale sale of arrack to retail vendors in the Ashtagram Division from the 1st April 1879 to the 31st March 1881, will be received by the Commissioner, Ashtagram Division, at Mysore, on the 10th March 1879.

Details of the terms of the contract will be published shortly.

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No. 252.

*The 6th February* 1879.

The following Notification of the Government of India, Foreign Department, Judicial, No. 15 J, dated the 29th January 1879, prescribing Rules for regulating the execution and costs of processes issued by the Civil Courts in Mysore, is republished for general information. These rules will take effect from and after the 1st February 1879, in supersession of all other Rules now in force.

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Govt. of India, Foreign Dept.—Judicial, Notification No. 15 J., dated Fort William, the 29th January 1879.

HIS Excellency the Viceroy and Governor-General in Council is pleased to approve the following Rules framed in pusuance of Sections 20 and 22 of the Court Fees' Act (VII of 1870) for regulating the execution and costs of processes issued by the Civil Courts in Mysore :—

1.—The following Rules shall take effect from and after the 1st February 1879, in supersession of all other Rules now in force relating to the service or execution of processes.

2.—All processes issuing from the Civil Courts of the Commissioners, Deputy Commissioners, Judicial Assistants, and Munsiffs, shall be served or executed by a separate establishment, which shall consist of Amins and peons.

3.—Every warrant for the attachment of property, and every warrant for the sale, or for the sale and delivery of possession of property (whether movable or immovable), shall be executed by Amins.

4.—Every summons, notice, written order, warrant of arrest, injunction, and proclamation, shall be served or executed by peons.

5.—There shall be two grades of Amins, remunerated by salaries of Rs. 16 and 14 respectively, and two grades of peons remunerated by salaries of Rs. 8 and 7 respectively. The proportion of Amins in the higher grade in each district shall not exceed one to two in the lower grade, and the proportion of peons in the higher grade shall not exceed one to three in the lower grade. The Amins and peons of the higher grade shall be divided among the Courts of the district in the same proportion, *viz.*, wherever there are attached three Amins to any Court, one of them shall be of the higher grade, and where there are four or more than four peons attached to any Court, one of every four peons shall be of the higher grade. In exceptional cases, and with the previous sanction of the Judicial Commissioner, batta may be given in addition to salary.

6.—The following procedure shall be followed for ascertaining and regulating, from time to time, the number of Amins and peons necessary to be employed for the service and execution of processes issuing from the different Civil Courts in the Province :—

(I.) The Commissioner of each division shall ascertain the average annual number of civil processes issued from his own Court, and from each of the Courts subordinate to him, which are required to be executed by Amins and peons, respectively, under these rules, during the three years last past, or during any lesser period regarding which reliable data can be procured.

(II.) The Amins and peons to be employed in each Court shall be in number sufficient for the execution of a like number of processes, each Amin being for this purpose considered capable of executing seventy processes annually, and each peon capable of executing three hundred processes in the Munsiff's Courts and two hundred in the Courts of higher grades : Provided that the Judicial Commissioner may, on sufficient cause shewn, and with reference to the peculiar circumstances of any Court, modify the rate above mentioned, with regard to such Court.

(III.) In order to provide for the service by peons of processes of certain kinds, which occupy a longer period, and in respect of which a higher fee is charged, 25 per cent may be added in each case to the average ascertained under Clause I of this section : Provided that in no case shall the costs and charges on account of the service of process exceed the estimated or probable receipts.

(IV.) When there are in any districts several offices of any one class, such as those of Munsiffs, the Commissioners may authorize the appointment of such number of Amins and peons on the whole, for such Courts, as may suffice for executing the total number of processes, and may, from time to time, apportion such peons according to need among such Courts.

(V.) When it appears to the Commissioner that the number of processes issued out of any Court or class of Courts in any district has increased so as to render an increase of establishment necessary, he shall be competent to make the requisite increase in the number of Amins or peons ; and if there shall be a diminution of processes to the like extent, or if he shall be satisfied that the processes of all or any of such Courts can be executed by a smaller number of peons, or if it appears that the costs and charges exceed the receipts, it shall be his duty to make a reduction accordingly : Provided that intimation of all changes effected under this clause shall be reported to the Judicial Commissioner for sanction, and that all extra officers appointed shall be placed on the temporary establishment, until such time as it is evident that it is necessary to place them on the ordinary establishment.

(VI.) If in any Courts or class of Courts the amount of work fluctuates at different seasons of the year, the number of Amins and peons appointed on the ordinary establishment shall be the minimum required at any time of the year. To provide in such cases for the carrying on of the work during the busy season of the year, the Commissioner shall, subject to the approval of the Judicial Commissioner, be empowered to sanction the temporary employment of an extra establishment.

7.—For and in respect of the service of a process issuing from a Munsiff's Court, there shall be payable by the party, at whose instance such process is to be served, a fee of the amount specified in Schedule No. I, annexed to these Rules, and such process shall not be served or executed until such fee shall have been duly paid.

8.—For and in respect of the service or execution of a process issuing from any Civil Court in the Province of Mysore, above the grade of a Munsiff's Court, there shall be payable by the party, at whose instance such process is to be served, a fee of the amount specified in Schedule No. II, attached to these Rules, and such process shall not be served or executed unless and until such fee shall have been duly paid.

9.—In cases in which the party at whose instance a process is issued desires expedition in the service or execution of process, he shall pay to the Amin or peon entrusted with the process, through

the Nazir or Sheristadar, mileage, at the rate of four annas per mile, if the Amin or peon is required to travel by transit; two annas per mile, if by ordinary cart; and three pies per mile, if by rail.

## SCHEDULE No. I.

*In the Munsiff's Court.*

| | | Rs. | As. | P. |
|---|---|---|---|---|
| 1. | Summons to defendant ... ... ... ... ... | | | |
| | And for every additional defendant, if applied for at the same time, and if defendant resides in the same neighbourhood... ... ... ... ... | 0 | 8 | 0 |
| 2. | Summons to a witness ... ... ... ... ... | 0 | 4 | 0 |
| | And for every additional witness, if applied for at the same time, and if the witness resides in the same neighbourhood ... ... ... ... | 0 | 8 | 0 |
| 3. | Warrant of arrest ... ... ... ... ... | 0 | 4 | 0 |
| 4. | Proclamation of attachment or sale ... ... ... ... | 1 | 0 | 0 |
| 5. | Warrant of attachment of movable or immovable property, according to the value of the suit, if applied for before judgment; or the amount decreed, if applied for in execution of decree :— | | | |
| | If the value or amount does not exceed Rupees 50 ... ... | 0 | 8 | 0 |
| | Exceeds Rupees 50, but ,, ,, ,, 100 ... ... | 1 | 0 | 0 |
| | ,, ,, 100 ,, ,, ,, ,, 500 ... ... | 2 | 0 | 0 |
| 6. | Warrant of delivery of possession of property (movable or immovable.) | | | |
| | If no attachment has taken place ... ... ... | The fee for attachment of said property. | | |
| | If attachment has taken place— | | | |
| | For movable property... ... ... ... ... | 0 | 8 | 0 |
| | For immovable property ... ... ... ... | 1 | 0 | 0 |
| 7. | Warrant of sale of movable property ... ... ... ... | 0 | 8 | 0 |
| 8. | Warrant of sale of immovable property ... ... ... ... | 1 | 0 | 0 |
| 9. | Injunction, order or notice, not otherwise provided for... ... ... | 0 | 8 | 0 |

*N. B.*—(1.) When it is found necessary to employ more than one Amin or peon (as, for instance, where property is situated in different places), double rates are to be charged.

(2.) When a warrant remains unexecuted for 15 days after its delivery to the officer entrusted with its execution, an additional fee at the same rate shall be levied from the party, at whose instance the warrant was issued, for every 15 days or portion of 15 days until return is made: *Provided that* the delay in executing the said warrant is not attributable to the officer of the Court.

(3.) If the processes for attachment and sale are issued simultaneously, the proper fee for the former process only is to be charged.

## SCHEDULE No. II.

*In Courts above the grade of a Munsiff's Court.*

| | | Rs. | As. | P. |
|---|---|---|---|---|
| 1. | Summons or notice to defendant or respondent ... ... ... ... | | | |
| | And for every additional defendant or respondent, if applied for at the same time, and if defendant or respondent resides in the same neighbourhood ... ... | 1 | 0 | 0 |
| 2. | Summons to a witness ... ... ... ... ... | 0 | 8 | 0 |
| | And for every additional witness, if applied for at the same time, and if witness resides in the same neighbourhood ... ... ... ... ... | 1 | 0 | 0 |
| 3. | Warrant of arrest ... ... ... ... ... | 0 | 8 | 0 |
| 4. | Proclamation of attachment or sale... ... ... ... ... | 2 | 0 | 0 |
| 5. | Warrant of attachment of movable or immovable property, according to the value of the suit, if applied for before judgment; or the amount decreed, if applied for in execution of decree :— | | | |
| | If the value or amount does not exceed Rs. 100 ... ... ... | 2 | 0 | 0 |
| | Exceeds Rs. 100, but does not exceed Rs. 500 ... ... ... | 3 | 0 | 0 |
| | Exceeds Rs. 500, but does not exceed Rs. 1,000 ... ... ... | 4 | 0 | 0 |
| | Exceeds Rs. 1,000, but does not exceed Rs. 5,000 ... ... ... | 5 | 0 | 0 |
| | Exceeds Rs. 5,000, but does not exceed Rs. 10,000 ... ... ... | 6 | 0 | 0 |
| | Exceeds Rs. 10,000 ... ... ... ... ... | 7 | 0 | 0 |
| 6. | Warrant of delivery of possession of property (movable or immovable). | | | |
| | If no attachment has taken place ... ... ... ... | The fee for attachment of said property. | | |

| | | Rs. | As. | P. |
|---|---|---|---|---|
| | If attachment has taken place— | | | |
| | For movable property ... ... ... ... ... | 1 | 0 | 0 |
| | For immovable property ... ... ... ... ... | 2 | 0 | 0 |
| 7. | Warrant of sale of movable property ... ... ... ... | 1 | 0 | 0 |
| 8. | Warrant of sale of immovable property— | | | |
| | If conducted at the Court-house ... ... ... ... | 1 | 0 | 0 |
| | If not conducted at the Court-house ... ... ... ... | 2 | 0 | 0 |
| 9. | Injunction, order or notice, not otherwise provided for ... ... ... | 1 | 0 | 0 |

*N. B.*—(1.) When it is found necessary to employ more than one Amin or peon (as, for instance, where property is situated in different places), double rates are to be charged.

(2.) When a warrant remains unexecuted for 15 days after its delivery to the officer entrusted with its execution, an additional fee at the same rate shall be levied from the party, at whose instance the warrant was issued, for every 15 days or portion of 15 days until return is made: Provided that the delay in executing the said warrant is not attributable to the officer of the Court.

(3.) If the processes for attachment and sale are issued simultaneously, the proper fee for the former process only is to be charged.

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No. 253. *The 3rd February* 1879.

Mr. C. Madaiya, Assistant Commissioner, Hassan District, is invested with the powers of a Magistrate of the 2nd Class within the meaning of section 20 and with the additional powers described in section 25 of the Code of Criminal Procedure (Act X of 1872).

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No. 254. *The 4th February* 1879.

Lieutenant-Colonel A. W. C. Lindsay, Officiating Deputy Commissioner, 3rd class, and Judge of the Court of Small Causes, Bangalore, having been granted furlough by the Government of Madras, is granted subsidiary leave not exceeding thirty days, from the date of his being relieved.

Captain E. P. Maltby, Officiating Deputy Commissioner, 3rd class, Hassan District, to be Judge of the Small Cause Court, Bangalore, *vice* Lieutenant-Colonel Lindsay—To join on being relieved.

Captain J. S. F. Mackenzie, Officiating Assistant Commissioner, 1st class, is appointed to officiate temporarily as Judge of the Court of Small Causes, Bangalore, from the date of his receiving charge from Lieutenant-Colonel Lindsay until relieved by Captain Maltby.

Mr. J. Lacey, B. L., Deputy Commissioner and Magistrate, Túmkúr District, is appointed Deputy Commissioner and Magistrate, Hassan District, but will continue until further orders to act as Deputy Commissioner, Túmkúr.

Mr. P. N. Krishna Múrti, B. L., Assistant Commissioner, 4th class, is appointed to officiate as Deputy Commissioner and Magistrate, Hassan District, until relieved by Mr. Lacey, or until further orders.

Mr. K. Sheshadri Iyer, B. A., B. L., Judicial Assistant Commissioner, Mysore District, is appointed Deputy Commissioner and Magistrate, Túmkúr District, but will continue to act until further orders as Controller of His Highness the Maha Raja's Household.

Mr. T. Narahari Rao, M. L., Judicial Assistant Commissioner, Chitaldroog District, is appointed Judicial Assistant Commissioner, Mysore District.

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No. 255. *The 4th February* 1879.

Mr. C. Soob Rao, Assistant Commissioner, in charge of the Ságar Sub-Division, Shimoga District, is granted three months' privilege leave of absence from the 10th February 1879, or from such date as he may avail himself of it.

Mr. Ramasamaiengar, Judicial Sheristadar, Nagar Commissioner's Office (Acting 1st Class Munsiff of Shimoga), is appointed to act as Assistant Commissioner, 6th class, during the absence of Mr. C. Soob Rao on leave, or until further orders.

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No. 256. *The 5th February* 1879.

Lieutenant-Colonel Johnson, Officiating Chief Engineer, received from Colonel Pearse charge of the office of Director of the Government Gardens, Bangalore, on the forenoon of the 1st February 1879.

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No. 257. *The 5th February* 1879.

In supersession of the Notification No. 234, dated 22nd January 1879, referring to Captain D. Cowie, the services of that officer are re-transferred to the Revenue Survey and Settlement Department from the 16th January 1879.

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No. 258. *The 5th February* 1879.

One month's leave on medical certificate is granted to Kumaravelu Pille, Amildar of the Channaraypatna Taluk, from such date as he may avail himself of it.

2. Krishnappa, Revenue Deputy Accountant, Deputy Commissioner's Office, Hassan, is appointed to act as 5th Grade Amildar and 3rd Class Magistrate of the above Taluk, during Kumaravelu Pille's absence on leave, or until further orders.

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No. 259. *The 5th February* 1879.

Captain J. Rutherfurd, Officiating Deputy Superintendent, Mysore Revenue Survey, is granted privilege leave of absence for thirty-one days from the 13th January 1879, or from such date as he may avail himself of it.

Major F. W. Major, Assistant Superintendent, Mysore Revenue Survey, is appointed to perform the duties of Deputy Superintendent, during the absence of Captain Rutherfurd on privilege leave, or until further orders.

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No. 260. *The 5th February* 1879.

Mr. P. Panchanath Rao, Police Assistant Commissioner, Hassan District, is transferred, as a temporary measure, to the Túmkúr District, for employment on General duties—To join forthwith.

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No. 261. *The 6th February* 1879.

Venkatachala Modaliar, Amildar Chitaldroog Taluk, is granted three months' privilege leave, from such date as he may avail himself of it.

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No. 262. *The 7th February* 1879.

Mr. V. P. Madhava Rao, B. A., Sheristadar of the Judicial Commissioner's Office, is appointed to officiate temporarily as Assistant Commissioner, 6th class, and posted to the Túmkúr District—To join forthwith.

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63

No. 263. *The 7th February* 1879.

Gangaiya, Probationary Amildar, Kankanhalli Taluk, is granted one month's leave of absence on medical certificate, from such date as he may avail himself of it.

Sitaramaiya, Naib Sheristadar of the 1st Assistant Commissioner's Court, Bangalore, is appointed to act as 5th Grade Amildar and 3rd Class Magistrate of the Kankanhalli Taluk, during the absence of Gangaiya on leave, or until further orders, and is invested with the additional powers described in section 23 of the Criminal Procedure Code, except the power to commit for trial.

By Order,
W. J. CUNINGHAM,
*Offg. Secretary.*

## PUBLIC WORKS.

NOTIFICATIONS.

No. 161. *The 3rd February* 1879.

Three months' privilege leave of absence is granted to Mr. G. R. Evans, Channel Superintendent, Cauvery Division, with effect from the 15th February 1879, or such date as he may avail himself of the same.

No 162. *The 5th February* 1879.

The Chief Commissioner is pleased to make the following promotions in the Public Works Department, with effect from the dates specified :—

| Names. | Present Grade. | Grade to which promoted. | With effect from— | Nature of Promotion. | |
|---|---|---|---|---|---|
| Mr. A. R. Lilley. | Assistant Engr., 1st Grade,(temporary) | Assistant Engr., 1st Grade. | 8th Oct. 1878. | Permanent. | *Vice* Mr. G. W. White deceased. |
| Mr. E. H. Johns. | Assistant Engr., 2nd Grade. | Assistant Engr., 1st Grade. | Do. | Temporary. | *Vice* Mr. Lilley. |

By Order,
W. R. JOHNSON, *Lieut.-Col.*,
*Offg. Secy., P. W. D.*

# Notifications by the Government of India.

HOME DEPARTMENT.

NOTIFICATION.

PUBLIC.

*Fort William, the 23rd January* 1879.

*No.* 160.—The following Regulations with appended instructions for the grant to applicants in British India, of certificates of re-admission to British nationality under section VIII of Act 33, Vic., cap. XIV, are published for general information :—

C. BERNARD,
*Offg. Secy. to the Govt. of India.*